S/N 09/758,648 \ PATENT

IN THE JUNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Larry Lunetta et al.

Examiner: Kanjibhai Patel

Serial No.:

09/758,648

Group Art Unit: 2625

Filed:

January 10, 2001

Docket: 2047.001US1

Title:

METHODS AND APPARATUSES FOR GENERATING COMPOSITE

IMAGES

AMENDMENT AND PETITION UNDER 37 CFR § 1.48(a) TO CORRECT INVENTORSHIP

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.48(a), please correct the inventorship of the above-identified application from the joint inventorship of Larry Lunetta and Eliott Jones to the joint inventorship of Larry Lunetta, Eliott Jones, Criss Harms, Gerald McLaughlin and David Sipes.

The application was filed on January 10, 2001 naming the following persons as inventors of the present patent application:

- (1) Larry Lunetta, a citizen of the United States of America and having a residence address of 1150 Revere Drive, Sunnyvale, CA 94087; and
- (2) Eliott Jones, a citizen of the United States of American and having a residence address of 296 Santa Monica Ave., Menlo Park, CA 94025.

Please correct and amend the present patent application so that the following are also named as joint inventors of the present patent application:

- Criss Harms, a citizen of the United States of America and having a residence address of 23450 Old Santa Cruz Hwy, Los Gatos, CA 95033;
- (2) Gerald McLaughlin a citizen of the United States of America and having a residence address of 530 29th Avenue, San Mateo, Ca 94403; and
- (3) David Sipes, a citizen of the United States of America and having a residence address of 2640 Hacienda Street, San Mateo, CA 94404.

Since the error arose without any deceptive intention on the part of the persons, who through error, were not named as an inventors, it is submitted that the entry of this amendment is appropriate and is respectfully requested.

Page 2 Dkt: 2047.001US1

This Petition is accompanied by: (1) a Substitute Declaration signed by the actual joint inventors; (2) a verified Statement of Facts from each of the inventors in Support of Petition to Correct Inventorship Under 37 CFR § 1.48(a); (3) Assent of Assignee for Correction of Inventorship with a copy of the previously recorded Assignment document; including authorization to charge the Deposit Account No. 19-0743 in the amount of \$130.00 in payment of the fee under 37 CFR § 1.17(i) for correction of inventorship; an Assignment from Criss Harms, Gerald McLaughlin and David Sipes to Branders.com; Recordation Cover Sheet (1 pg.), including authorization to charge the Deposit Account No. 19-0743 in the amount of \$40.00 in payment of the recordation filing fee.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LARRY LUNETTA ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. Box 2938

Minneapolis, MN 55402

408-278-4042

Dato 1119 . 3 2005

Ann M. McCrackin

Reg. No. 42,858

Name

Shaw

Ciamatan

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<u>S/N 09/758,648</u> PATENT

IN THE UNERDESTATES PATENT AND TRADEMARK OFFICE

Applicant:

Larry Lunetta et al.

Examiner: Kanjibhai Patel

Serial No.:

09/758,648

Group Art Unit: 2625

Filed:

January 10, 2001

Docket: 2047.001US1

Title:

METHODS AND APPARATUSES FOR GENERATING COMPOSITE

IMAGES

STATEMENT OF FACTS BY LARRY LUNETTA, ELLIOT JONES, CRISS HARMS, GERALD MCLAUGHLIN AND DAVID SIPES UNDER 37 CFR § 1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

We hereby declare:

- (1) We are making this Statement of Facts under 37 CFR 1.48(a) in connection with U.S. Patent Application Serial No. 09/758,648 filed January 10, 2001 (hereinafter referred to as "the present patent application").
 - (2) The following is a list of our current residences and countries of citizenship:
- (a) Larry Lunetta, a citizen of the United States of America and having a residence address of 1150 Revere Drive, Sunnyvale, CA 94087;
- (b) Elliot Jones, a citizen of the United States of American and having a residence address of 711 Nash Avenue, Menlo Park, CA 94025.
 - (c) Criss Harms, a citizen of the United States of America and having a residence address of 23450 Old Santa Cruz Hwy, Los Gatos, CA 95033;
 - (d) Gerald McLaughlin a citizen of the United States of America and having a residence address of 530 29th Avenue, San Mateo, Ca 94403; and
 - (e) David Sipes, a citizen of the United States of America and having a residence address of 2640 Hacienda Street, San Mateo, CA 94404.
- (3) An inventorship error was made by only naming Larry Lunetta and Elliot Jones as joint inventors, rather than naming Larry Lunetta, Elliot Jones, Criss Harms, Gerald McLaughlin and David Sipes as joint inventors.
- (4) The inventorship error arose without any deceptive intention on the part of anyone.

Filing Date: January 10, 2001

Title: METHODS AND APPARATUSES FOR GENERATING COMPOSITE IMAGES

Page 2 Dkt: 2047.001US1

(5) It is hereby requested that inventors Criss Harms, Gerald McLaughlin and David Sipes be added to the present patent application.

We declare that all statements made here in on our own knowledge are true and that all statements made on information and believe are believed to be true, and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States, Code, and that such willful false statements my jeopardize the validity of the application or any patent issued thereon.

Dated: Jun 13	, 2005	felia
		Larry Luneita
Dated:	, 2005	
		Elliot Jones
Dated:	, 2005	
	 -	Criss Harms
Dated:	, 2005	
		Gerald McLaughlin
Dated:	. 2005	
		David Sipes

S/N 09/758,648

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Serial No.:

Larry Lunetta et al.

09/758,648

AUG 0 9 2005 12 January 10, 2001

Examiner: Kanjibhai Patel

Group Art Unit: 2625

Docket: 2047.001US1

Filed: Title:

METHODS AND APPARATUSES FOR GENERATING COMPOSITE

IMAGES

STATEMENT OF FACTS BY LARRY LUNETTA, ELIOTT JONES, CRISS HARMS, GERALD MCLAUGHLIN AND DAVID SIPES UNDER 37 CFR § 1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

We hereby declare:

- We are making this Statement of Facts under 37 CFR 1.48(a) in connection with (1) U.S. Patent Application Serial No. 09/758,648 filed January 10, 2001 (hereinafter referred to as "the present patent application").
 - The following is a list of our current residences and countries of citizenship: **(2)**
- Larry Lunetta, a citizen of the United States of America and having a (a) residence address of 1150 Revere Drive, Sunnyvale, CA 94087;
- Eliott Jones, a citizen of the United States of American and having a **(b)** residence address of 296 Santa Monica Ave., Menlo Park, CA 94025.
 - Criss Harms, a citizen of the United States of America and having a (c) residence address of 23450 Old Santa Cruz Hwy, Los Gatos, CA 95033;
 - Gerald McLaughlin a citizen of the United States of America and having a residence address of 530 29th Avenue, San Mateo, Ca 94403; and
 - David Sipes, a citizen of the United States of America and having a residence address of 2640 Hacienda Street, San Mateo, CA 94404.
- An inventorship error was made by only naming Larry Lunetta and Eliott Jones as (3) joint inventors, rather than naming Larry Lunetta, Eliott Jones, Criss Harms, Gerald McLaughlin and David Sipes as joint inventors.
- **(4)** The inventorship error arose without any deceptive intention on the part of anyone.

(5) It is hereby requested that inventors Criss Harms, Gerald McLaughlin and David Sipes be added to the present patent application.

We declare that all statements made here in on our own knowledge are true and that all statements made on information and believe are believed to be true, and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States, Code, and that such willful false statements my jeopardize the validity of the application or any patent issued thereon.

Dated:	, 2005	<u> </u>	
		Larry Lunetta	
Dated: 28 June	2005	Eliott Jones	
Dated:	, 2005		
		Criss Harms	
Dated:	, 2005		
		Gerald McLaughlin	
Dated:	, 2005		
		David Sipes	

S/N 09/758,648

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Larry Lunetta et al.

Serial No.:

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METHODS AND APPARATUSES FOR GENERATING COMPOSITE

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STATEMENT OF FACTS BY LARRY LUNETTA, ELIOTT JONES, CRISS HARMS, GERALD MCLAUGHLIN AND DAVID SIPES UNDER 37 CFR § 1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

We hereby declare:

- (1) We are making this Statement of Facts under 37 CFR 1.48(a) in connection with U.S. Patent Application Serial No. 09/758,648 filed January 10, 2001 (hereinafter referred to as "the present patent application").
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- (b) Eliott Jones, a citizen of the United States of American and having a residence address of 296 Santa Monica Ave., Menlo Park, CA 94025.
 - (c) Criss Harms, a citizen of the United States of America and having a residence address of 23450 Old Santa Cruz Hwy, Los Gatos, CA 95033;
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 - (e) David Sipes, a citizen of the United States of America and having a residence address of 2640 Hacienda Street, San Mateo, CA 94404.
- (3) An inventorship error was made by only naming Larry Lunetta and Eliott Jones as joint inventors, rather than naming Larry Lunetta, Eliott Jones, Criss Harms, Gerald McLaughlin and David Sipes as joint inventors.
- (4) The inventorship error arose without any deceptive intention on the part of anyone.

Dkt: 2047.001US1

Serial Number: 09/758,648 Filing Date: January 10, 2001

Title: METHODS AND APPARATUSES FOR GENERATING COMPOSITE IMAGES

(5) It is hereby requested that inventors Criss Harms, Gerald McLaughlin and David Sipes be added to the present patent application.

We declare that all statements made here in on our own knowledge are true and that all statements made on information and believe are believed to be true, and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States, Code, and that such willful false statements my jeopardize the validity of the application or any patent issued thereon.

Dated:	, 2005	
	,	Larry Lunetta
Dated:	, 2005	Elliot Jones A
Dated: 6/28	, 2005	Criss Harms
Dated:	, 2005	Gerald McLaughlin
Dated:	, 2005	David Sipes

S/N 09/758.648

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Serial No.:

Larry Lunetta et al.

09/758,648

AUG 0 9 2005 8

Examiner: Kanjibhai Patel

Group Art Unit: 2625

Filed:

January 10, 2001

Docket: 2047.001US1

Title:

METHODS AND APPARATUSES FOR GENERATING COMPOSITE

IMAGES

STATEMENT OF FACTS BY LARRY LUNETTA, ELIOTT JONES, CRISS HARMS, GERALD MCLAUGHLIN AND DAVID SIPES UNDER 37 CFR § 1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

We hereby declare:

- (1) We are making this Statement of Facts under 37 CFR 1.48(a) in connection with U.S. Patent Application Serial No. 09/758,648 filed January 10, 2001 (hereinafter referred to as "the present patent application").
 - (2) The following is a list of our current residences and countries of citizenship:
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- (b) Hiott Jones, a citizen of the United States of American and having a residence address of 296 Santa Monica Ave., Menlo Park, CA 94025.
 - (c) Criss Harms, a citizen of the United States of America and having a residence address of 23450 Old Santa Cruz Hwy, Los Gatos, CA 95033;
 - (d) Gerald McLaughlin a citizen of the United States of America and having a residence address of 530 29th Avenue, San Mateo, Ca 94403; and
 - (e) David Sipes, a citizen of the United States of America and having a residence address of 2640 Hacienda Street, San Mateo, CA 94404.
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- (4) The inventorship error arose without any deceptive intention on the part of anyone.

Page 2 Dkt: 2047.001US1

Title: METHODS AND APPARATUSES FOR GENERATING COMPOSITE IMAGES

(5) It is hereby requested that inventors Criss Harms, Gerald McLaughlin and David Sipes be added to the present patent application.

We declare that all statements made here in on our own knowledge are true and that all statements made on information and believe are believed to be true, and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States, Code, and that such willful false statements my jeopardize the validity of the application or any patent issued thereon.

Dated:	, 2005	. • •
		Larry Lunetta
Dated:	, 2005	
		Elliot Jones
Dated:	, 2005	
		Criss Harms
Dated: <u>6/28</u>	, 2005	Streld M Saff
		Gerald McLaughlin
Dated: $6/28$, 2005	David Sines

AUG 0 9 2005 SZN 09/758,648

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Larry Lunetta et al.

Examiner: Kanjibhai Patel

Serial No.:

09/758,648

Group Art Unit: 2625

Filed:

January 10, 2001

Docket: 2047.001US1

Title:

METHODS AND APPARATUSES FOR GENERATING COMPOSITE

IMAGES

ASSENT OF ASSIGNEE UNDER 37 CFR 3.73(b) FOR CORRECTION OF INVENTORSHIP

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Branders.com, a Delaware corporation having a place of business at 1850 Gateway Drive, Suite 400, San Mateo, CA 94404 being the sole owner of the above-identified application, as evidenced by the attached copy of the Assignment filed in the parent application to the above-identified application and executed by Larry Lunetta and Eliott Jones and the Assignment enclosed herewith executed by Criss Harms, Gerald McLaughlin and David Sipes, hereby consents to the change of inventorship in the above-identified application from the joint inventorship of Larry Lunetta and Eliott Jones to the joint inventorship of Larry Lunetta, Eliott Jones, Criss Harms, Gerald McLaughlin and David Sipes.

I declare that I am an official of the Assignee who is empowered to authorize this consent.

Date: 6/28/05

President & CEO



United States Patent Application combined declaration and power of attorney

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>METHODS AND APPARATUSES FOR GENERATING</u>
<u>COMPOSITE IMAGES</u>.

The specification of which was filed on January 10, 2001 as application serial no. 09/758,648.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/176956

Filing Date
January 18, 2000

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Customer Number: 21186

I hereby authorize them to act and rely on instructions from and communicate directly with the

person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have

consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor n Citizenship: Post Office Address:	United States of America 1150 Revere Drive	Residence: Sunnyvale, CA	
Signature:	Sunnyvate CA 94087)	Date: 6/13/05	
	· · · · · · · · · · · · · · · · · · ·		

X Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventor nur Citizenship: Post Office Address:	nber 2: <u>Elliot Jones</u> United States of America 711 Nash Avenue Menlo Park, CA 94025	Residence: Menlo Park, CA	
Signature:	t Jones	Date:	
oma.	it totte?		
Full Name of joint inventor nun Citizenship: Post Office Address:	nber 3: <u>Criss Harms</u> United States of America 23450 Old Santa Cruz Hwy Los Gatos, CA 95033	Residence: Los Gatos, CA	····
Signature:Criss		Date:	
Full Name of joint inventor num Citizenship: Post Office Address:	ober 4: Gerald McLaughlin United States of America 530 29th Avenue San Mateo, CA 94403	Residence: San Mateo, CA	
Signature:	ld McLaughlin	Date:	
Full Name of joint inventor num Citizenship; Post Office Address;		Residence: San Mateo, CA	
Signature:		Date:	
David	1 Sipes		

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket No.: 2047.001US1 Serial No. 09/758,648

Filing Date: January 10, 2001



Attorney Docket No.2047.001US1

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS AND APPARATUSES FOR GENERATING **COMPOSITE IMAGES,**

the specification of which was filed on January 10, 2001 as application serial no. 09/758,648.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/176956

Filing Date January 18, 2000

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Customer Number: 21186

I hereby authorize them to act and rely on instructions from and communicate directly with the

person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have

consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

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P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

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Full Name of joint invento Citizenship: Post Office Address:	r number 1: <u>Larry Lunetta</u> United States of America 1150 Revere Drive Sunnyvale, CA 94087	Residence: Sunnyvale, CA	
Signature:	Larry Lunetta	Date:	

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

ull Name of joint inventor itizenship: ost Office Address:	r number 2 : <u>Eliott Jones</u> United States of America 296 Santa Monica Ave.	Residence: Menlo Park, CA	
	Menio Park, CA 94025		
ignature: GS	1	Date: 28 June 200	<u>کح</u>
			•
all Name of joint inventor	number 3: Criss Harms		
iuzensmp:	United States of America	Residence: Los Gatos, CA	
ost Office Address:	23450 Old Santa Cruz Hwy		
	Los Gaios, CA 95033		
ignature:			
<u> </u>	Criss Harms	Date:	
•	·		
II Nome official in			
all Name of joint inventor itizenship:			
est Office Address:	United States of America 530 29th Avenue	Residence: San Mateo, CA	
	San Mateo, CA 94403	·	
	Suit Ivalida, Cr. 54400	•	
gnature:		Date:	•
G	ierald McLaughlin		
•			
ill Name of joint inventor	number 5: <u>David Sipes</u>		
ioseizup.	United States of America	Residence: San Mateo, CA	
ast Office Address;	2640 Hacienda Street	residence, dan mineu, CA	
	San Mateo, CA 94404	·	
guature;	·		
	avid Sipes	Date:	
D	arian patus		

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

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- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket No.: 2047.001US1 Serial No. 09/758,648 Filing Date: January 10, 2001



Attorney Docket No.2047.001US1

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>METHODS AND APPARATUSES FOR GENERATING</u>
<u>COMPOSITE IMAGES</u>,

the specification of which was filed on January 10, 2001 as application serial no. 09/758,648.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/176956

Filing Date
January 18, 2000

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Serial No. 09/758,648 Filing Date: January 10, 2001

Signature:

Customer Number: 21186

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)373-6900 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: **Larry Lunetta** Citizenship: **United States of America** Residence: Sunnyvale, CA Post Office Address: 1150 Revere Drive Sunnyvale, CA 94087

Date:

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X Additional inventors are being named on separately numbered sheets, attached hereto.

Larry Lunetta

David Sipes

Filing Date: January 10, 2001		
Full Name of joint inventor Citizenship: Post Office Address:	number 2: Elliot Jones United States of America 711 Nash Avenue Menlo Park, CA 94025	Residence: Menlo Park, CA
Signature:	Elliot Jones	Date:
E	Elliot Jones	
	number 3 : <u>Criss Harms</u> United States of America	Decidence Ven Codes CA
Citizenship: Post Office Address:	23450 Old Santa Cruz Hwy Los Gatos, CA 95033	Residence: Los Gatos, CA
Signature:	Criss Harms	Date: 6/28/05
Full Name of joint inventor : Citizenship: Post Office Address:	number 4: Gerald McLaughlin United States of America 530 29th Avenue San Mateo, CA 94403	Residence: San Mateo, CA
Signature:	Gerald McLaughlin	Date:
Full Name of joint inventor of Citizenship: Post Office Address:	number 5 : <u>David Sipes</u> United States of America 2640 Hacienda Street San Mateo, CA 94404	Residence: San Mateo, CA
Signature		Data

Filing Date: January 10, 2001

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
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Attorney Docket No.: 2047.001US1 Serial No. 09/758,648 Filing Date: January 10, 2001



Attorney Docket No.2047.001US1

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Serial No. 09/758,648 Filing Date: January 10, 2001

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P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

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made are punishable by fine	e; and further that these statements were e or imprisonment, or both, under Section the validity of the application or any pate	made with the knowledge that willful false statem a 1001 of Title 18 of the United States Code and the ant issued thereon.	ents and the like so nat such willful false
Full Name of joint inventor Citizenship: Post Office Address:	number 1: <u>Larry Lunetta</u> United States of America 1150 Revere Drive Sunnyvale, CA 94087	Residence: Sunnyvale, CA	
Signature:	Larry Lunetta	Date:	
•			

X Additional inventors are being named on separately numbered sheets, attached hereto.

ull Name of joint inventor nu litizenship: 'ost Office Address:	mber 2: <u>Elliot Jones</u> United States of America 711 Nash Avenue Menlo Park, CA 94025	Residence: Menlo Park, CA	
lignature:Elli	ot Jones	Date:	
	• 		
AND NAME OF THE OWNER.			
'ull Name of joint inventor nu litizenship; 'ost Office Address:	mber 3: <u>Criss Harms</u> United States of America 23450 Old Santa Cruz Hwy Los Gatos, CA 95033	Residence: Los Gatos, CA	
	s Harms	Date:	
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AUG 0 9 2005 R

<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

2625¢

Applicant: Larry Lunetta et al.

TA TRADEMAN

METHODS AND APPARATUSES FOR GENERATING COMPOSITE IMAGES

Docket No.:

2047.001US1

Serial No.: 09/758,648

Filed:

January 10, 2001

Due Date: N/A

Examiner:

Kanjibhai Patel

Group Art Unit: 2625

MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

 \underline{X} A return postcard.

X Amendment and Petition to Correct Inventorship under 1.48 (a) (2 pgs.).

X Statement of Facts by Larry Lunetta, Eliott Jones, Criss Harms, Gerald McLaughlin, David Sipes (8 pgs.).

X Consent of Assignee to Correct Inventorship (1 pg.).

 \overline{X} Substitute Combined Declaration and Power of Attorney (16 pgs.).

X Authorization to charge the Deposit Account No. 19-0743 in the amount of \$130.00 to cover the petition fee set forth in 37 CFR 1.17(i).

X Assignment from Criss Harms, Gerald McLaughlin and David Sipes to Branders.com (4 pgs.).

 \underline{X} Recordation Form Cover Sheet (1 pg.).

X Copy of previously recorded Assignment from Larry Lunetta & Eliott Jones to Branders.com, reel & frame 011459/0881.

X Authorization to charge the Deposit Account No. 19-0743 to charge \$40.00 to cover the Assignment Recording Fee.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

Atty: Ann M. McCrackin

LStan

Reg. No. 42,858

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5th day of July, 2005

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)